

via *Chono*

## Central Intelligence Agency



Washington, D.C. 20505

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10 Feb. 82

Honorable Michael D. Barnes  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Barnes:

May I first apologize for the length of time it has taken to respond to your letter of 10 December on behalf of several of your constituents expressing concerns about the benefits that divorced and widowed CIA wives receive from the Federal Government.

First, let me begin by saying that we all sympathize with the problems faced by former spouses of Agency employees. They all deserve our recognition and respect for the efforts they have made on behalf of their families and their country.

As you may know, there are three retirement systems in question: the Foreign Service Retirement System (FSRS) established by the Foreign Service Act of 1980 (not 1981); the Civil Service Retirement System (CSRS); and the Central Intelligence Agency Retirement and Disability System (CIARDS). Contrary to your constituent's assumptions, the Foreign Service Act of 1980 FSRS, does not provide benefits to retired CIA personnel or former spouses. Our people are under CSRS and CIARDS. Even for those State Department personnel covered by the Foreign Service Act of 1980, there are no provisions for former spouses to share in pensions if the marriage was terminated prior to the effective date of that Act (see Section 2403 (e)(1)). This was a key point in the debate and passage of the Act. As the debate points out, there was a reluctance on the part of Congress to enact a "look-back" provision and thereby reopen long-settled divorce decrees. In view of all these considerations, the Agency does not believe that a convincing argument has been made for enactment of such a "look-back" provision for former spouses of Agency employees.

In closing let me state that the Agency will continue to study this problem and we will keep you informed should any changes occur.

Cordially yours,

*[Signature]*  
Director, Office of External Affairs

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